

Ecosystem Roundtable

Informational Staff Report

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Restoration Coordination Team

Topic: Contract Amendment Process

Background:

The contract amendment process for Ecosystem Restoration projects has been defined for different levels of budget, schedule, and scope changes (see attached document). For Level 2 and 3 amendments, it calls for creation of a subcommittee of the Ecosystem Roundtable. The purpose of creating a subcommittee is to reduce the amount of material presented to the entire Roundtable. The amendment subcommittee consists of the following: Steve Hirsch (Metropolitan Water District of Southern California), Hari Modi (Northern California Power Agency), David Yardas (Environmental Defense Fund), Tom Zuckerman (Central Delta Water Agency). Management Team representatives consist of the following: Perry Herrgesell (Department of Fish and Game), Patrick Leonard (U.S. Fish and Wildlife Service), Sue Ramos (Bureau of Reclamation), and Carolyn Yale (U.S. Environmental Protection Agency). All Ecosystem Roundtable member may attend and it is a public meeting. The mission of the subcommittee is to evaluate the merits of the amendment; the project merits have already been decided.

Status:

In the last Roundtable Contract Amendment subcommittee meeting (February 3), participants asked that the project proponents define potential alternative action they would recommend if the amendment is disproved.

For additional information on this topic please contact Peter Jacobsen at (916) 653-3790 or Wendy Halverson Martin at (916) 653-5950.

Contract Amendment Process

Level 1 Amendments

Level 1 amendments would be defined as (a) cumulative time extensions up to nine months, (b) changes in scope of services which will not alter the final outcome of the project, and (c) budget increases not to exceed a total of \$25,000 for each contract. Decisions on amendments at this level would be made by contracting agency staff after consulting with CALFED staff. Contracting agencies may delegate decision-making to the Executive Director of the CALFED Bay-Delta Program, as appropriate.

Level 2 Amendments

Level 2 amendments consist of requests for (a) cumulative time extensions over 9 months, or (b) cumulative budget increases up to 30% of the contract amount, but not greater than \$500,000 or (c) changes in scope of services which alter the final outcome of the project.

These amendment requests would be considered by an Ecosystem Roundtable subcommittee which would meet in a publicly noticed meeting and consider each amendment in detail. The Ecosystem Roundtable members would provide review and comment on the proposed amendments. A group of Management Team members would participate in reviewing the contract amendments at the same meeting with members of the Roundtable subcommittee. The Management Team subgroup would then make their recommendation with the input from the Ecosystem Roundtable members. The Management Team subgroup could decide whether an individual item merits full Management Team review and discussion, and/or Policy Group review. If an item is identified as not meriting additional discussion, then the Management Team subgroup's recommendation would be transmitted directly to the appropriate contracting agency. Interior, Resources Agency, and the Environmental Protection Agency would have the final approval over their respective funding sources.

Level 3 Amendments

Level 3 amendments consist of amendment requests of cumulative budget increases of 30% or more of the contract amount or over \$500,000. Level 3 amendments will be reviewed through the same process as Level 2 amendments, but will need to be presented to the Policy Team who will transmit their recommendation to the respective funding source.

Reporting

The Management Team, Policy Group, Ecosystem Roundtable and BDAC would have all amendments reported to them as information items.